

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN DANIEL FUCHS**, on January 17, 2003 at 8:01 A.M., in Room 152 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Daniel Fuchs, Chairman (R)  
Rep. Ronald Devlin, Vice Chairman (R)  
Rep. Ron Erickson, Vice Chairman (D)  
Rep. Joan Andersen (R)  
Rep. Joe Balyeat (R)  
Rep. Gary Branae (D)  
Rep. Eileen J. Carney (D)  
Rep. Jill Cohenour (D)  
Rep. Larry Cyr (D)  
Rep. Gary Forrester (D)  
Rep. Kim Gillan (D)  
Rep. Verdell Jackson (R)  
Rep. Bob Lake (R)  
Rep. Carol Lambert (R)  
Rep. Jesse Laslovich (D)  
Rep. Jim Peterson (R)  
Rep. John (Jack) W. Ross (R)  
Rep. Karl Waitschies (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Kathleen Ely, Committee Secretary  
Jeff Martin, Legislative Branch

**Please Note:**

**Video-taped Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 267, 1/13/2003;  
HB 268, 1/13/2003;  
HB 275, 1/13/2003

Executive Action: HB 188 DO PASS AS AMENDED 18-0  
HB 207 DO PASS AS AMENDED 18-0  
HB 239 TABLED 15-3

**HEARING ON HB 267**

**Sponsor:** REP. GALVIN-HACRO, HD 48, GREAT FALLS

**Opening Statement by Sponsor:**

8:05 REP. GALVIN-HACRO

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Questions from Committee Members and Responses:**

8:07 a.m. REP. LAKE

8:07 a.m. REP. GALVIN-HACRO

8:07 a.m. REP. PETERSON

8:08 a.m. REP. GALVIN-HACRO

8:09 a.m. REP. PETERSON

8:09 a.m. REP. GALVIN-HACRO

8:10 a.m. REP. BRANAE

8:10 a.m. REP. GALVIN-HACRO

8:10 a.m. REP. CARNEY

8:11 a.m. REP. GALVIN-HACRO

8:11 a.m. REP. WAITSCHIES

8:11 a.m. REP. GALVIN-HACRO

8:11 a.m. REP. WAITSCHIES

8:12 a.m. REP. GALVIN-HACRO

8:12 a.m. REP. WAITSCHIES

**Closing by Sponsor:**

8:12 a.m. REP. GALVIN-HACRO

**HEARING ON HB 268**

**Sponsor:** REP. ERICKSON, HD 64, MISSOULA

**Opening Statement by Sponsor:**

8:13 a.m. REP. ERICKSON

**EXHIBIT**(tah10a01)

**EXHIBIT**(tah10a02)

**Proponents' Testimony:**

8:25 a.m. Eric Feaver, MEA-MFT

8:29 a.m. Don Judge, Teamsters Local 190

8:34 a.m. Betty Whiting, Montana Association of Churches

8:35 a.m. Darrell Holzer, AFL-CIO

8:38 a.m. Terry Kendrick, W.O.R.D., Fair Share Network

8:39 a.m. Pat Clinch, MSCPFF

8:40 a.m. J.D. Lynch, Butte-Silverbow County

8:41 a.m. Mary Caferro, Working for Equality and Economic  
Liberation

8:44 a.m. Gordon Morris, Montana Association of Counties

8:44 a.m. Alec Hansen, Montana League of Cities and Towns

8:45 a.m. Bill Kennedy, Yellowstone County Commissioner

8:47 a.m. Evan Barrett, Montana Economic Developers Association

**Opponents' Testimony:**

8:53 a.m. **Jim Mockler, Executive Director, Montana Coal Council**

8:55 a.m. **Mary Whittinghill, Montana Taxpayers Association**

9:00 a.m. **Riley Johnson, Montana Federation of Independent Businesses**

9:01 a.m. **Bill Stevens, MFDA**

9:02 a.m. **Gary Carlson, from HD 51**

9:05 a.m. **Carl Schweitzer, Bozeman and Kalispell Chambers of Commerce**

9:07 a.m. **Cary Hegreberg, Montana Contractors Association**

**Questions from Committee Members and Responses:**

9:09 a.m. **REP. LAKE**

9:10 a.m. **Mary Whittinghill**

9:10 a.m. **REP. LAKE**

9:10 a.m. **Mary Whittinghill**

9:11 a.m. **REP. LAMBERT**

9:11 a.m. **REP. ERICKSON**

9:12 a.m. **REP. LAMBERT**

9:12 a.m. **REP. ERICKSON**

9:13 a.m. **REP. LAMBERT**

9:14 a.m. **REP. ERICKSON**

9:15 a.m. **REP. LASLOVICH**

9:15 a.m. **Cary Hegreberg**

9:16 a.m. **REP. LASLOVICH**

9:16 a.m. **Mary Whittinghill**

9:18 a.m. **REP. LASLOVICH**

9:19 a.m. **Mary Whittinghill**

9:21 a.m. **REP. LASLOVICH**

9:22 a.m. **REP. ERICKSON**

9:22 a.m. **REP. LASLOVICH**

9:22 a.m. **REP. ERICKSON**

9:23 a.m. **REP. PETERSON**

9:24 a.m. **REP. ERICKSON**

9:26 a.m. **REP. PETERSON**

9:26 a.m. **REP. ERICKSON**

9:26 a.m. **REP. PETERSON**

9:27 a.m. **REP. ERICKSON**

9:28 a.m. **REP. CARNEY**

9:28 a.m. **Evan Barrett**

9:31 a.m. **REP. CARNEY**

9:31 a.m. **Evan Barrett**

9:32 a.m. **REP. WAITSCHIES**

9:32 a.m. **Evan Barrett**

9:32 a.m. **REP. WAITSCHIES**

9:33 a.m. **Evan Barrett**

9:33 a.m. **REP. WAITSCHIES**

9:33 a.m. **Brad Simshaw, Department of Revenue**

9:34 a.m. **REP. WAITSCHIES**

9:35 a.m. **Eric Feaver**

9:36 a.m. **REP. GILLAN**

9:36 a.m. **REP. ERICKSON**

9:36 a.m. **Brad Simshaw**

9:38 a.m. **REP. GILLAN**

9:39 a.m. **Brad Simshaw**

9:40 a.m. **REP. LAMBERT**

9:41 a.m. **REP. ERICKSON**

9:42 a.m. **REP. DEVLIN**

9:42 a.m. **REP. COHENOUR**

9:43 a.m. **Evan Barrett**

9:45 a.m. **REP. COHENOUR**

9:45 a.m. **Evan Barrett**

9:46 a.m. **REP. COHENOUR**

9:46 a.m. **Eric Feaver**

9:47 a.m. **REP. PETERSON**

9:48 a.m. **Webb Brown, Montana Chamber of Commerce**

9:51 a.m. **REP. FUCHS**

9:51 a.m. **REP. COHENOUR**

9:52 a.m. **Webb Brown**

9:52 a.m. **REP. CARNEY**

9:52 a.m. **Webb Brown**

**Closing by Sponsor:**

9:52 a.m. **REP. ERICKSON**

HEARING ON HB 275

Sponsor: REP. FACEY, HD 67, MISSOULA

Opening Statement by Sponsor:

9:58 a.m. REP. FACEY

**EXHIBIT** (tah10a03)

**EXHIBIT** (tah10a04)

Proponents' Testimony:

10:13 a.m. Gordon Morris, Montana Association of Counties

10:15 a.m. Bill Kennedy, Yellowstone County Commissioner

10:15 a.m. Mike Kadas, Mayor of Missoula

10:16 a.m. Alec Hansen, League of Cities and Towns

Opponents' Testimony:

10:17 a.m. Ronda Carpenter, Montana County Treasurers Association

10:20 a.m. Mary Whittinghill, Montana Taxpayers Association

10:24 a.m. Joe Roberts, Montana Association of Realtors

Informational Testimony:

10:27 a.m. Delores Cooney, Department of Revenue

Questions from Committee Members and Responses:

10:28 a.m. REP. ERICKSON

10:29 a.m. Mike Kadas

10:29 a.m. REP. ERICKSON

10:30 a.m. CHAIRMAN FUCHS

10:30 a.m. REP. ERICKSON

10:30 a.m. REP. FACEY

10:32 a.m. **REP. ERICKSON**

10:32 a.m. **REP. FACEY**

10:33 a.m. **REP. ERICKSON**

10:33 a.m. **Delores Cooney**

10:34 a.m. **Brad Simshaw, Department of Revenue**

10:35 a.m. **REP. DEVLIN**

10:36 a.m. **Alec Hansen**

10:36 a.m. **REP. DEVLIN**

10:37 a.m. **Alec Hansen**

10:38 a.m. **REP. BALYEAT**

10:39 a.m. **Brad Simshaw**

10:39 a.m. **Delores Cooney**

10:40 a.m. **REP. BRANAE**

10:40 a.m. **Gordon Morris**

10:41 a.m. **Jeff Martin**

10:41 a.m. **REP. BALYEAT**

10:42 a.m. **REP. WAITSCHIES**

10:42 a.m. **REP. FACEY**

10:44 a.m. **REP. BALYEAT**

10:45 a.m. **REP. FACEY**

10:47 a.m. **REP. BALYEAT**

10:47 a.m. **REP. FACEY**

**Closing by Sponsor:**

10:48 a.m. **REP. FACEY**



10:52 a.m. Break

11:03 a.m. Resume

**EXECUTIVE ACTION ON HB 188**

**Motion:** 11:04 a.m. REP. DEVLIN moved HB 188.

**Motion:** 11:05 a.m. REP. DEVLIN moved that HB 188 BE AMENDED.

**EXHIBIT**(tah10a05)

11:06 a.m. Jeff Martin

11:09 a.m. REP. GILLAN

11:09 a.m. REP. FUCHS

**Motion/Vote:** 11:09 a.m. REP. DEVLIN moved that HB 188 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 207**

**Motion:** 11:10 a.m. REP. LASLOVICH moved HB 207.

**Motion:** 11:11 a.m. REP. LASLOVICH moved that HB 207 BE AMENDED.

**EXHIBIT**(tah10a06)

11:12 a.m. REP. LASLOVICH

11:14 a.m. REP. DEVLIN

**Motion/Vote:** 11:09 a.m. REP. LASLOVICH moved that HB 207 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

11:10 a.m. CHAIRMAN FUCHS

11:11 a.m. REP. ERICKSON

11:12 a.m. REP. GILLAN

11:13 a.m. REP. JACKSON

**EXECUTIVE ACTION ON HB 239**

**Motion:** 11:18 a.m. REP. LASLOVICH moved HB 239.

**Motion:** 11:19 a.m. CHAIRMAN FUCHS moved that HB 239 BE AMENDED.

**EXHIBIT**(tah10a07)

**EXHIBIT**(tah10a08)

11:20 a.m. Jeff Martin

11:21 a.m. REP. LAKE

11:22 a.m. REP. BALYEAT

11:24 a.m. REP. ERICKSON

11:26 a.m. REP. LAKE

11:28 a.m. REP. BALYEAT

11:30 a.m. REP. FORRESTER

11:30 a.m. CHAIRMAN FUCHS

**Substitute Motion/Vote:** REP. BALYEAT made a substitute motion that HB 239 BE TABLED. Substitute motion carried 15-3 with Branae, Erickson, and Fuchs voting no by roll call vote.

**ADJOURNMENT**

Adjournment: 11:33 A.M.

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REP. DANIEL FUCHS, Chairman

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KATHLEEN ELY, Secretary

DF/KE

**EXHIBIT** (tah10aad)